

Memorandum

Department of Planning

To: Planning and Public Works Committee

From: Justin Wyse, Director of Planning *JW*

Date: April 23, 2020

RE: Dumpsters in Residential Areas



Summary

The City has received complaints regarding a single-family residential property under construction. Specifically, the issue of the duration of a dumpster in conjunction with a renovation of the home was raised.

Currently, regulation of dumpsters in residential areas are covered in two areas:

- Section 20-3 declares the following as a public nuisance: “Placement of a roll-off trash container on property for an uninterrupted period exceeding ninety (90) consecutive days or positioned so as to create an obstruction for a roadway, alley or sidewalk constituting an inconvenience or danger to the health, safety or welfare of the public or residents and occupants of the immediate vicinity.
- The building code permits dumpsters associated with an active building permit.

While dumpsters are necessary for many projects, a lack of regulation for duration of the dumpsters in residential areas can detract from the residential character of the neighbor.

In researching other cities, there are two primary ways dumpsters are handled. Cities regulate dumpsters through:

- The building code where dumpsters are permitted during the duration of an active permit (this is the current approach of Chesterfield).
- Requiring a separate permit for the use of a dumpster in conjunction with a project. These permits typically allow for a dumpster for 30 or 45 days with the ability for additional 30-45 day extensions through the permitting office.

It should be noted that there are additional areas of the Code that may apply to dumpsters in residential areas. For instance, Section 26-1 prohibits placing obstructions within the right-of-way and this would include dumpsters.

As the housing stock continues to age within areas of the City, the prevalence of these situations is likely to increase. Utilizing the City's Municipal Zoning Approval (MZA) would be an appropriate process to enforce any regulations.

If it is desired to regulate the duration of these occurrences, Staff would recommend that the following language be considered for inclusion in Section 07-03 of the City Code:

The placement of any container on or adjacent to residential property shall require approval of a Municipal Zoning Approval (MZA). Said permit shall be issued for a period not to exceed thirty (30) days. Extensions may be granted by the Director of Planning for an additional thirty (30) days. The container must be wholly on the permittee's property.

Action

I recommend that this item be forwarded to the Planning and Public Works Committee for discussion. If the Committee desires to move forward, an ordinance can be forwarded to City Council with the desired regulations.

Please forward to PPW for review and direction

 2020/4/15